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December 14, 2004

Via Hand Delivery

Docket Department

South Carolina Public Service Commission

Synergy Business Park

101 Executive Drive

Columbia, SC 29211

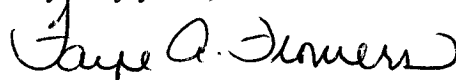
***Re: Petition to Establish Generic Docket to Consider Amendments to
Interconnection Agreements Resulting from Changes of Law
Docket No. 2004-316-C***

Dear Sir or Madam:

In connection with the above docket, enclosed please find an original and 10 copies of Southeastern Competitive Carriers Association and US LEC of South Carolina, Inc.'s Petition to Intervene in connection with the above docket.

By copy of this letter we are serving all parties of record with a copy of the same. I would appreciate your clerk stamping one copy of the Petition and returning it to my courier. Please call me if you have any questions. With best regards,

Very truly yours,



Faye A. Flowers

FAF/ccq

Enclosure

cc: Jocelyn G. Boyd, Esquire
F. David Butler, Esquire
Bonnie D. Shealey, Esquire
Patrick Turner, Esquire

E. Earl Edenfield, Jr., Esquire
John J. Heitmann, Esquire
John J. Pringle, Esquire
Robert E. Tyson, Jr., Esquire

CHARLESTON, SC
CHARLOTTE, NC
RALEIGH, NC
SPARTANBURG, SC

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

In Re:)
) **Docket No. 2004-316-C**
Petition to Establish Generic Docket to)
Consider Amendments to Interconnection)
Agreements Resulting from Changes of Law)

PETITION TO INTERVENE

Southeastern Competitive Carriers Association (“SECCA”)¹ and US LEC of South Carolina Inc. (“US LEC”) (collectively “Petitioners”), pursuant to S.C.Code Ann. Reg. § 103-836, file this Petition to Intervene in the above-captioned proceeding. Each of the Petitioners has rights and interests that may be substantially affected by the decision, and no other party to the proceeding can adequately represent such interests. To support the Petition, the Petitioners state the following:

1. Copies of pleadings, correspondence and other documents should be sent to:

Faye A Flowers, Esquire
Parker Poe Adams & Bernstein LLP
1201 Main Street, Suite 1450
Post Office Box 1509
Columbia, SC 29202-1509

with a copy to:

Wanda Montano
Terry Romine, Esquire
US LEC Corp.
6801 Morrison Boulevard
Charlotte, NC 28211

¹ The members of SECCA are: US LEC of South Carolina Inc.; ICG Telecom Group, Inc.; Time Warner Telecom of South Carolina, Inc.; and, XO Communications Services, Inc.

2. Interconnection agreements with BellSouth Telecommunications, Inc. (“BST”) that have been approved by the Commission contain a change of law provision. The provision requires a 30-day notice by either party to initiate change of law negotiations. Further, the provision provides that should the parties be unable to negotiate a mutually acceptable amendment to the agreement after 90 days, either party may bring the dispute before the Commission to resolve.

By filing this generic proceeding, BST is attempting to circumvent the terms of the agreement that BST entered into with competitive local exchange carriers (“CLECs”). Prior to filing the request for the generic docket, BST did not follow the requirements of its interconnection agreement provisions. Nor did BST hold any negotiations with the various CLECs to determine whether any disputes would arise on the terms of the amendment.

3. Petitioners submit that the Petition should be dismissed because BST has failed to abide by the contractual requirements prior to filing the Petition. **In that regard, Petitioners would join in the Motion to Dismiss or Hold In Abeyance filed by the intervenors KMC, NuVox/NewSouth, and Xspedius and in the Motion to Dismiss filed by CompSouth in this matter.**

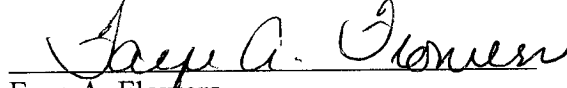
4. US LEC’s and the members of SECCA’s rights and interests will be substantially affected by decisions made by the Commission in this proceeding. Further the proceeding may establish a precedent that could impact the future provision of telecommunications services in South Carolina.

5. No other parties to this proceeding can adequately represent the interests of the Petitioners.

6. The Petitioners seek active participation in this proceeding to protect their interests and address the issues being raised by this proceeding as described above, including the right to present evidence and appear and participate in any hearings set on this matter.²

WHEREFORE, the Petitioners pray that their Petitioner to Intervene be granted and that they be permitted to intervene in the above-styled proceeding as parties of record.

Respectfully submitted,



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803-255-8000
803-255-8017 (facsimile)

Date: December 14, 2004

² Petitioners urge the Commission to dismiss this matter in accordance with the various outstanding Motions, however, in the event that this matter moves forward, Petitioners hereby object to the schedule proposed by BellSouth because, among other reasons, such schedule requires the filing of pleadings on State holidays during which time the Commission is not open for business.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Petition has been served upon the following counsel of record this 14th day of December, 2004 by mailing a copy of the same in the United States Mail, first-class postage prepaid, addressed as follows:

**Jocelyn G. Boyd, Esquire
Staff Attorney
S.C. Public Service Commission
Post Office Box 11649
Columbia, SC 29211**

**E Earl Edenfield, Jr., Esquire
BellSouth Telecommunications, Inc
Legal Department- Suite 4300
675 W. Peachtree Street, NE
Atlanta, GA 30375**

**F. David Butler, Esquire
General Counsel
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Post Office Box 11649
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